

Message Text

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ACTION SY-02

INFO OCT-01 ISO-00 SSO-00 EA-06 OC-01 CCO-00 /010 W

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O 270728Z JAN 76

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC IMMEDIATE 6383

C O N F I D E N T I A L TOKYO 1186

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E.O. 11652: GDS

TAGS: ASEC

SUBJECT: INADVERTENT VIOLATION OF JAPANESE FIREARM CONTROL

ATTENTION: A/SY

1. EMBASSY HAS BEEN APPROACHED BY REPRESENTATIVES OF MAX FACTOR JAPAN FOR ADVICE ON PROBLEM WHICH HAS ARISEN IN CONNECTION WITH RECENT VISIT TO JAPAN OF DAVID I. MAHONEY, PRESIDENT OF NORTON SIMON, INC., TO JAPAN (JANUARY 15 TO 25).

2. IN ADDITION TO NUMBER OF EXECUTIVES OF HIS CORPORATION, MAHONEY ACCOMPANIED TO JAPAN BY ALLEN WALZ, A BODYGUARD. GROUP TRAVELED FROM NEW YORK VIA JAL, AND PRIOR TO DEPARTURE FROM NEW YORK, WALZ ARRANGED WITH JAL REPRESENTATIVE NEW YORK TO HAVE PILOT TAKE 38 CAL. SMITH-WESSON PISTOL ABOARD. PILOT RETURNED PISTOL TO WALZ JUST BEFORE LANDING AT HANEDA. (ACCORDING TO MAX FACTOR REPRESENTATIVES, WALZ, WHO HAD NOT VISITED JAPAN BEFORE, HAS FOLLOWED THIS PROCEDURE WITHOUT PROBLEMS ON HIS FREQUENT VISITS TO EUROPEAN COUNTRIES.) SINCE ARRANGEMENTS HAD BEEN MADE BY MAX FACTOR REPRESENTATIVES FOR MAHONEY AND PARTY TO ENTER WITHOUT NORMAL CUSTOMS CLEARANCE, WALZ ENTERED WITHOUT BEING ASKED CUSTOMARY QUESTION WHETHER HE POSSESSED ANY FIREARMS. AT TIME OF DEPARTURE WITH MAHONEY ON JANUARY 25, HOWEVER, WALZ REALIZED THAT SECURITY SCREENING WOULD REVEAL POSSESSION, RISK EMBARRASSING QUESTIONS AND CONFISCATION. PISTOL THERE-
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FORE TURNED OVER TO MAX FACTOR REPRESENTATIVES, WHO IMMED-

IATELY SOUGHT EMBASSY ADVICE. PISTOL WAS LOADED WHEN TURNED OVER.

3. MAX FACTOR REPRESENTATIVES ARE CONCERNED THAT IF PROBLEM BROUGHT TO ATTENTION POLICE OR CUSTOMS OFFICIALS EVEN WITH APPROPRIATE APOLOGIES, RESULT LIKELY BE CONFISCATION OF PISTOL (WHICH REGISTERED IN NEW YORK CITY) AND INVESTIGATION WHICH COULD BE EMBARRASSING TO PERSONS IN JAL, MAX FACTOR AND JAPANESE CUSTOMS. EMBASSY AGREES WITH THIS ASSESSMENT. MOREOVER, SURFACING OF INCIDENT MIGHT CREATE ADDED DIFFICULTIES FOR EMBASSY IN ARRANGING SPECIAL CIQ CLEARANCE FOR VIP'S AND IN OTHER SPECIAL CIRCUMSTANCES.

4. EMBASSY WOULD APPRECIATE BEING INFORMED SOONEST WHETHER A/SY WOULD BE WILLING TO RECEIVE WEAPON WITHOUT AMMUNITION THROUGH POUCH FOR DELIVERY TO OWNER. EMBASSY BELIEVES THIS WOULD BE BEST SOLUTION IN ALL RESPECTS.
HODGSON

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Margaret P. Grafeld
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